



February 24, 2006

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## ENGROSSED HOUSE BILL No. 1138

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DIGEST OF HB 1138 (Updated February 23, 2006 10:07 am - DI 113)

**Citations Affected:** IC 14-22; noncode.

**Synopsis:** Hunting and lifetime license trust fund. Authorizes the director of the department of natural resources, with the approval of the natural resources commission and the budget agency, and after review by the budget committee, to use money in the lifetime hunting, fishing, and trapping license trust fund to acquire property to be used for hunting and fishing. Allows the director to designate free hunting days for youth hunters. Reduces the minimum license fee to take an extra deer. Makes an appropriation.

**Effective:** July 1, 2005 (retroactive); July 1, 2006.

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**Bell, Bischoff, Ulmer, Goodin**

(SENATE SPONSORS — WEATHERWAX, LEWIS, DILLON)

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January 5, 2006, read first time and referred to Committee on Natural Resources.  
January 25, 2006, reported — Do Pass.  
January 30, 2006, read second time, ordered engrossed. Engrossed.  
February 1, 2006, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 6, 2006, read first time and referred to Committee on Natural Resources.  
February 14, 2006, amended, reported favorably — Do Pass. Pursuant to Senate Rule 65(b) reassigned to Committee on Appropriations.  
February 23, 2006, reported favorably—Do Pass.

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EH 1138—LS 6722/DI 77+



February 24, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1138

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-22-4-6 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) On July 1 of each  
3 year:

- 4 (1) all of the accumulated earnings in the fund; plus  
5 (2) two and one-half percent (2 1/2%) of the money in the fund,  
6 less the accumulated earnings;

7 shall be transferred to the fish and wildlife fund to maintain the  
8 automated point of sale licensing system implemented under  
9 IC 14-22-12-7.5. Any unused part of the transfer under this subsection  
10 may be used for the other purposes specified in IC 14-22-3-5(a).

11 **(b) The director:**

- 12 **(1) with the approval of the commission;**  
13 **(2) with the approval of the budget agency; and**  
14 **(3) after review by the budget committee;**

15 **may use money in the fund to acquire real property that will be**  
16 **used and managed for hunting and fishing. The money used under**  
17 **this subsection to acquire real property may not exceed fifty**

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percent (50%) of the appraised value of the real property.

~~(b)~~ (c) The money in the fund may be used for no other purpose.  
only for the purposes authorized in this section.

SECTION 2. IC 14-22-11-6 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. Except as provided  
in ~~section~~ sections 1 and 18 of this chapter, every person must have a  
hunting license in the person's possession when hunting.

SECTION 3. IC 14-22-11-18 IS ADDED TO THE INDIANA  
CODE AS A NEW SECTION TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2006]: Sec. 18. (a) The director may  
designate not more than four (4) days each year as free hunting  
days for youth hunters.

(b) During a free hunting day for youth hunters designated  
under subsection (a), a resident who is less than sixteen (16) years  
of age may:

- (1) hunt using hunting methods that are designated by the  
director and that are legal for that hunting season; and
- (2) exercise the same privileges that a resident is entitled to  
under IC 14-22-12-1(24).

A youth hunter is not required to pay a fee or possess a hunting  
license.

(c) A youth hunter who hunts during a free hunting day for  
youth hunters under this section must:

- (1) comply with the conditions and rules adopted by the  
director; and
- (2) be accompanied by an individual who:
  - (A) is at least eighteen (18) years of age; and
  - (B) holds a valid hunting license under IC 14-22-12 or is  
not required to have a hunting license under this chapter.

(d) The individual under subsection (c)(2) who accompanies the  
youth hunter:

- (1) must be in close enough proximity to monitor the youth  
hunter's activities and communicate with the youth hunter at  
all times; and
- (2) may assist the youth hunter, including calling, but may not  
carry a firearm or bow and arrow.

SECTION 4. IC 14-22-12-1 IS AMENDED TO READ AS  
FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) The department  
may issue the following licenses and, except as provided in section 1.5  
of this chapter and subject to subsection (b), shall charge the following  
minimum license fees to hunt, trap, or fish in Indiana:

- (1) A resident yearly license to fish, eight dollars and seventy-five

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- 1 cents (\$8.75).
- 2 (2) A resident yearly license to hunt, eight dollars and
- 3 seventy-five cents (\$8.75).
- 4 (3) A resident yearly license to hunt and fish, thirteen dollars and
- 5 seventy-five cents (\$13.75).
- 6 (4) A resident yearly license to trap, eight dollars and seventy-five
- 7 cents (\$8.75).
- 8 (5) A nonresident yearly license to fish, twenty-four dollars and
- 9 seventy-five cents (\$24.75).
- 10 (6) A nonresident yearly license to hunt, sixty dollars and
- 11 seventy-five cents (\$60.75).
- 12 (7) A nonresident yearly license to trap, one hundred seventeen
- 13 dollars and seventy-five cents (\$117.75). However, a license may
- 14 not be issued to a resident of another state if that state does not
- 15 give reciprocity rights to Indiana residents similar to those
- 16 nonresident trapping privileges extended in Indiana.
- 17 (8) A resident or nonresident license to fish, including for trout
- 18 and salmon, for one (1) day only, four dollars and seventy-five
- 19 cents (\$4.75).
- 20 (9) A nonresident license to fish, excluding for trout and salmon,
- 21 for seven (7) days only, twelve dollars and seventy-five cents
- 22 (\$12.75).
- 23 (10) A nonresident license to hunt for five (5) consecutive days
- 24 only, twenty-five dollars and seventy-five cents (\$25.75).
- 25 (11) A resident or nonresident yearly stamp to fish for trout and
- 26 salmon, six dollars and seventy-five cents (\$6.75).
- 27 (12) A resident yearly license to take a deer with a shotgun,
- 28 muzzle loading gun, or handgun, thirteen dollars and seventy-five
- 29 cents (\$13.75).
- 30 (13) A resident yearly license to take a deer with a muzzle loading
- 31 gun, thirteen dollars and seventy-five cents (\$13.75).
- 32 (14) A resident yearly license to take a deer with a bow and
- 33 arrow, thirteen dollars and seventy-five cents (\$13.75).
- 34 (15) A nonresident yearly license to take a deer with a shotgun,
- 35 muzzle loading gun, or handgun, one hundred twenty dollars and
- 36 seventy-five cents (\$120.75).
- 37 (16) A nonresident yearly license to take a deer with a muzzle
- 38 loading gun, one hundred twenty dollars and seventy-five cents
- 39 (\$120.75).
- 40 (17) A nonresident yearly license to take a deer with a bow and
- 41 arrow, one hundred twenty dollars and seventy-five cents
- 42 (\$120.75).

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(18) A resident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, ~~thirteen five dollars and seventy-five cents (\$13.75): (\$5).~~

(19) A nonresident license to take an extra deer by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, ~~one hundred twenty ten dollars and seventy-five cents (\$120.75): (\$10).~~

(20) A resident yearly license to take a turkey, fourteen dollars and seventy-five cents (\$14.75).

(21) A nonresident yearly license to take a turkey, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.

(22) If a fall wild turkey season is established, a resident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, fourteen dollars and seventy-five cents (\$14.75).

(23) If a fall wild turkey season is established, a nonresident license to take an extra turkey by a means, in a location, and under conditions established by rule adopted by the department under IC 4-22-2, one hundred fourteen dollars and seventy-five cents (\$114.75). However, if the state of residence of the nonresident applicant requires that before a resident of Indiana may take a turkey in that state the resident of Indiana must also purchase another license in addition to a nonresident license to take a turkey, the applicant must also purchase a nonresident yearly license to hunt under this section.

(24) A resident youth yearly consolidated license to hunt and fish, six dollars (\$6). This license is subject to the following:

(A) An applicant must be less than eighteen (18) years of age.

(B) The license is in lieu of the resident yearly license to hunt and fish and all other yearly licenses, stamps, or permits to hunt and fish for a specific species or by a specific means.

(b) The commission may set license fees to hunt, trap, or fish above the minimum fees established under subsection (a).

SECTION 5. [EFFECTIVE JULY 1, 2005 (RETROACTIVE)] (a)  
In addition to any other appropriations to the department of natural resources, there is appropriated to the department of

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1     **natural resources ten million dollars (\$10,000,000) from the**  
2     **lifetime hunting, fishing, and trapping license trust fund for its use**  
3     **in carrying out the purposes of IC 14-22-4-6, as amended by this**  
4     **act, beginning July 1, 2005 and ending July 1, 2007. Any part of the**  
5     **appropriation not expended or encumbered on June 30, 2006,**  
6     **continues to be available for the fiscal year beginning July 1, 2006**  
7     **and ending June 30, 2007.**

8         **(b) This SECTION expires July 1, 2007.**

9         **SECTION 6. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1138, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HOFFMAN, Chair

Committee Vote: yeas 10, nays 0.

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REPORT OF THE PRESIDENT  
PRO TEMPORE

Madam President: Pursuant to Senate Rule 65(b), I hereby report that, subsequent to the adoption of the Natural Resources Committee Report on February 14, 2006, Engrossed House Bill 1138 was reassigned to the Committee on Appropriations.

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COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 1, delete "There".

Page 2, delete lines 2 through 3.

Page 4, after line 41, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE JULY 1, 2005 (RETROACTIVE)] (a)

**In addition to any other appropriations to the department of natural resources, there is appropriated to the department of natural resources ten million dollars (\$10,000,000) from the lifetime hunting, fishing, and trapping license trust fund for its use in carrying out the purposes of IC 14-22-4-6, as amended by this act, beginning July 1, 2005 and ending July 1, 2007. Any part of the appropriation not expended or encumbered on June 30, 2006, continues to be available for the fiscal year beginning July 1, 2006 and ending June 30, 2007.**

**(b) This SECTION expires July 1, 2007.**

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**SECTION 6. An emergency is declared for this act."**

and when so amended that said bill do pass.

(Reference is to HB 1138 as printed January 26, 2006.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 8, Nays 0.

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**COMMITTEE REPORT**

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Engrossed House Bill 1138 as printed February 15, 2006.)

MEEKS, Chairperson

Committee Vote: Yeas 12, Nays 0.

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